



IN REPLY
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MP-500
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United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825-1898

June 23, 2006

Regional Letter No. 06-07
Expiration Date: June 23, 2009

MEMORANDUM

To: All Mid-Pacific Region Employees

From: Kirk C. Rodgers /s/ *Kirk C. Rodgers*
Regional Director

Subject: Reasonable Accommodation Policy

Purpose: To notify all Mid-Pacific (MP) Region employees and supervisors of the policy for reasonable accommodation by providing instructions for acting on such requests. This supersedes Regional Letter No. 02-03 dated July 29, 2002.

Scope: This policy is applicable to all employees of the MP Region.

Policy: Employees who have a disability that does not prevent them from performing the primary duties of their position either with or without reasonable accommodation will, to the extent reasonable, be afforded accommodation.

Some employees may suffer from medical conditions that require “accommodation” to assist them in continuing to perform the major duties of their position. Employees who have a medical condition that meets the criteria of a “qualified disabled person” as defined under the law must be considered for reasonable accommodation when the employee is able to perform the primary duties of the position either with or without accommodation. The MP Region will accommodate the known physical or mental disability limitations of a qualified disabled employee unless the accommodation would impose an undue hardship on the operation of its program.

If, upon review, neither the medical condition nor the disability meets the definition of a qualified disabled person within the meaning of the Rehabilitation Act of 1973, or the employee is not able to perform the primary duties of the position with or without accommodation, the MP Region is not required to consider reasonable accommodation.

All requests for accommodation must go through the same initial review process to determine whether the accommodation falls under the provisions of the Rehabilitation Act and other related laws.

Responsibilities:

Employees will:

1. Request a need for accommodation verbally or in writing to his/her supervisor, another supervisor or manager in his/her immediate chain of command, the Equal Employment Opportunity (EEO) Manager, the Human Resources Office (HRO), or other appropriate office.
2. Consult and cooperate with the appropriate agency representative in an effort to reach a reasonable accommodation agreement including authorizing the release of specific medical or related information so that the agency in concert with a physician, as necessary, can make a meaningful assessment of the request.

Supervisor(s)/Agency will:

1. Consult with the HRO, employee relations staff, Equal Employment Manager, and a Medical Review Officer (MRO) when necessary to carry out the responsibility of reasonably accommodating an employee with a qualified disability.
2. Address the employee's request within ten (10) business days and provide a written decision to the employee that indicates whether the accommodation is approved or if medical information is needed. If medical documentation is required by the deciding official, he/she will issue a written decision to the employee within ten (10) business days from the date the medical documentation was received.
3. Consult with HRO to request determination of appropriate and reasonable accommodation from the MRO.
4. Ensure procedures for reasonable accommodation of individuals with disabilities are implemented.
5. Make a final decision on approval or denial of the accommodation request. The supervisor may deny a specific request for an accommodation only when:
 - a. the employee is not disabled within the meaning of the Rehabilitation Act,
 - b. the employee is not a qualified disabled person within the meaning of the Rehabilitation Act,
 - c. there is insufficient medical information to support the request,
 - d. the employee has failed to cooperate in the accommodation process by failing to provide the necessary medical information,

- e. the requested accommodation would not be effective in enabling the employee to perform the essential functions of the job, or enabling the employee to enjoy the benefits and privileges of the workplace,
 - f. the supervisor offers an alternative accommodation that meets the needs of the employee as well as the agency,
 - g. the requested accommodation would cause an undue hardship on agency operations,
 - h. a vacant position was not found for which the employee qualifies, or
 - i. any other reason consistent with the Rehabilitation Act.
6. Advise an employee of the final determination.

Authority: Rehabilitation Act of 1973; Equal Employment Opportunity Commission's (EEOC) regulations at 29 CFR 1614.203 (c) (1); and EEOC Enforcement Guidance: Reasonable Accommodation and Undue Hardship Under Americans with Disabilities Act, dated March 2, 1999.

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